

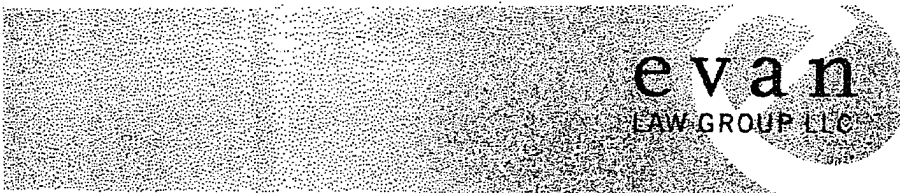
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FAX COVER SHEET

TO	'Examiner Huson
COMPANY	USPTO
FAX NUMBER	15712738300
FROM	Paul Rauch
DATE	2008-10-08 19:54:50 GMT
RE	Application # 10/717,303

COVER MESSAGE

Examiner Huson,
Attached please find the letter with the topics proposed for interview.
Thank you,
W. John Keyes



Intellectual Property Attorneys

600 West Jackson Blvd., Suite 2000, Chicago, IL 60601
Tel: 312.876.1400 Fax: 312.876.1401

Website: www.evangelaw.com

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Primary Examiner Monica A. Huson
USPTO
Alexandria, VA 22313-1450

Re U.S. Patent Application No. 10/717,303
Our Docket No. ILL09-030-US
Topics proposed for interview

Dear Examiner Huson,

Thank you for agreeing to a telephonic interview regarding the above application. As promised, outlined below are the topics we would like to discuss:

(1) Predictability of Results

"The mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art." M.P.E.P. § 2143 (III).

We note that our argumentations with regard to predictability of results that were set forth in our Response to the Office Action of June 13, 2008 have not been addressed in the Advisory Action of September 23, 2008.

(2) Subject Matter as a Whole

When considering the differences between the prior art and the claimed invention, the prior art must be considered in its entirety, including disclosures that teach away from the claims. "A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention." M.P.E.P. § 2141.02.

We also note that our argumentations with regard to the parts of the cited references that teach away from the present invention were not addressed in the Advisory Action of September 23, 2008.

(3) Substantial Evidence

"If Applicant challenges a factual assertion as not properly officially noticed or not properly based upon common knowledge, the Examiner must support the finding with adequate evidence." M.P.E.P. § 2144.03.

In this regard, we would like to discuss the following factual assertions:

Monica A. Huson
October 8, 2008
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(a) "It is submitted that a "partially stabilized" preform is a "pre-rigidized preform" (Office Action of June 13, 2008, page 2, last paragraph).

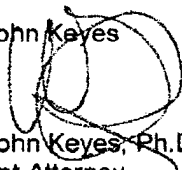
(b) "Economy *et al.*, hereafter "Economy '276," shows that higher pressure[s] clearly yield higher density products" (Office Action of June 13, 2008, page 3, first paragraph).

(c) "[...] because Economy *et al.* ('377) teaches specific values for said process parameters, hence teaching that said process parameters are result-effective variables" (Office Action of June 13, 2008, page 3, fourth paragraph)

As customary, please do not hesitate to contact me if you need additional feedback or clarifications.

Yours truly,

W. John Keyes



W. John Keyes, Ph.D.
Patent Attorney
EVAN LAW GROUP LLC
600 W. Jackson Blvd., Suite 625
Chicago, IL 60661
T 312-876-1400 | F 978-268-8715
www.evanlawgroup.com